

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 25-cv-20609-BLOOM/Elfenbein

PLUGINZ KEYCHAINS LLC AND
MIKE STRICKLIN,

Plaintiffs,

v.

THE INDIVIDUALS, CORPORATIONS, LIMITED
LIABILITY COMPANIES, PARTNERSHIPS, AND
UNINCORPORATED ASSOCIATIONS IDENTIFIED
ON SCHEDULE A,

Defendants.

ORDER DENYING MOTION FOR ENTRY OF FINAL DEFAULT JUDGMENT

THIS CAUSE is before the Court upon Plaintiffs’ Pluginz Keychains LLC and Mike Stricklin (“Plaintiffs”) Motion for Entry of Final Default Judgement (“Motion”), ECF No. [66], filed on May 28, 2025.

Plaintiffs filed their Motion for Clerk’s Entry of Default on April 22, 2025, against the Defendants identified in the attached Schedule A (“Defaulting Defendants”)¹. ECF No. [47]. A Clerk’s Default was entered against Defaulting Defendants on April 28, 2025, ECF No. [48], as Defaulting Defendants failed to appear, answer, or otherwise timely respond to the Complaint, despite having been served. Plaintiffs now seek entry of final default judgment against Defaulting

¹ The attached Schedule A has been revised to remove several Defendants that were included on the Schedule A to Plaintiffs’ Request for Clerk’s Entry of Default, ECF No. [47], for whom Plaintiffs initially intended to seek default against but no longer intend to. Accordingly, Plaintiffs state they are not seeking default against Defendants Likee Store (DOE 22), M + L (DOE 23), linhu2594 (DOE 50), My Best French Shop (DOE 51), AIMIYU (DOE 59), Bole keychain (DOE 60), woofield (DOE 62), sunsen (DOE 69), TGNB (DOE 70), Beyond technology Co. ltd (DOE 75), dongyuheng (DOE 77), EQWIROUWQEIOR (DOE 78), Fattazi (DOE 80), Gealach (DOE 83), guqishangmao (DOE 84), Huang zhong wen Home Store (DOE 86), kuizhilinshangmao (DOE 89), Li shun jin (DOE 91), Midewhik (DOE 95), panzanmaoyi02 (DOE 96), pobucishangmao (DOE 97), shaotellme shop (DOE 98), SHUJIN Co.Ltd (DOE 100), SHUYING Co.Ltd (DOE 101), Tanyoung (DOE 104), tongmuxue (DOE 105), ViLaViDe LLC (DOE 106).

Defendants. The Court has carefully considered the Motion, the record in this case, the applicable law, and is otherwise fully advised. For the following reasons, Plaintiffs' Motion is denied without prejudice.

In addition to a permanent injunction "enjoin[ing] Defaulting Defendants from continuing to infringe any of Plaintiffs' intellectual property rights," Plaintiffs seek damages pursuant to 15 U.S.C. § 1114 for Trademark Counterfeiting and Infringement (Count I) and 35 U.S.C. § 271 for Design Patent Infringement (Count II). ECF Nos. [1] at 12-15, [66] at 15-23. Regarding Count I, statutory damages may range from a minimum of \$1,000 to a maximum of \$200,000 "per counterfeit mark per type of goods or services sold, offered for sale, or distributed, as the court considers just[.]" 15 U.S.C. § 1117(c)(1). Alternatively, the Court may impose damages of "not more than \$2,000,000" if it "finds that the use of the counterfeit mark was willful . . . as the [C]ourt considers just." *Id.* § 1117(c)(2). Plaintiffs argue "this Court should award a significant amount of statutory damages under the Lanham Act to ensure Defaulting Defendants do not continue their intentional and willful counterfeiting activities." ECF No. [66] at 17. However, it is unclear why Plaintiffs seek \$200,000 in damages under Count I for some of the Defaulting Defendants, but not others. *See* ECF No. [66-11]. Plaintiffs do not provide any explanation as to why some Defaulting Defendants should be ordered to pay \$200,000 in damages for Count I, but others should not be ordered to pay any damages at all. *Id.*

Regarding Count II, 35 U.S.C. § 289 states infringers of a design patent "shall be liable to the owner [of the patent] to the extent of his total profit, but not less than \$250[.]" 35 U.S.C. § 289. Plaintiffs state they "seek lost profits in connection with eighty-four (84) Defaulting Defendants[.]" ECF No. [66] at 19 & n.3, and provide "[a] table identifying the calculated damages for each Defaulting Defendant for infringement of Plaintiffs' Design Patent[.]" *See* ECF No. [66-

11]. However, in lieu of determining the amount of actual lost profits from Defaulting Defendants' infringement, Plaintiffs apparently "rel[y] on the reported entire revenue amount for the Defaulting Defendant." ECF No. [66] at 23 n.4. Plaintiffs provide no binding case law to indicate that such an extraordinary remedy would be appropriate where Plaintiffs cannot determine how much of the Defendant's profit is derived from infringing profits. Additionally, the chart listing the amount of "lost profits sought" per Defaulting Defendant does not state whether the "lost profits" are "gross profits for a specific infringing product" or "the reported entire revenue amount for the Defaulting Defendant." *Id.*

Plaintiffs seek an entry of final default judgment against 111 Defaulting Defendants, with total damages for each individual Defendant ranging from \$250.00 to \$213,272.56. ECF No. [66-13] at 7-13. As Plaintiffs note, "[t]he Court has wide discretion to set an amount of statutory damages." ECF No. [66] at 16. However, there must be a sufficient legal and factual basis for the Court to determine what remedies are appropriate. *Anheuser Busch, Inc. v. Philpot*, 317 F.3d 1264, 1266 (11th Cir. 2003) ("A court has an obligation to assure that there is a legitimate basis for any damage award it enters[.]"). Plaintiffs have not provided sufficient facts for the Court to determine the amount of damages that should be awarded for each Defaulting Defendant. Accordingly, it is **ORDERED AND ADJUDGED** that Plaintiffs' Motion, ECF No. [66] is **DENIED WITHOUT PREJUDICE**. Plaintiffs may file a renewed Motion for Default Final Judgment by **June 17, 2025**. Failure to comply with this Order may result in dismissal without prejudice as to the Defaulting Defendants. *See* ECF No. [49].

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DONE AND ORDERED in Chambers at Miami, Florida, on June 3, 2025.

A handwritten signature in black ink, appearing to be 'JB' or similar, written over a horizontal line.

BETH BLOOM
UNITED STATES DISTRICT JUDGE

cc: Counsel of record

Guy Shimron
9 Golomb st Kefar Sava 4435709
Israel

SCHEDULE A

DOE	Defendant Seller Name	Defendant Marketplace
1	CBK1688 Store	https://www.aliexpress.com/store/1103837713
2	ECOHOUSE Store	https://www.aliexpress.com/store/1101959710
3	ICERAY DMX512 Official Store Store	https://www.aliexpress.com/store/1103011240
4	Jason Star Store	https://www.aliexpress.com/store/1103180356
5	JUSHANG Store Store	https://www.aliexpress.com/store/1103322468
6	Kitchenware Helper Store	https://www.aliexpress.com/store/1101754683
7	Mold Official Store	https://www.aliexpress.com/store/1102884601
8	Shop1102212642 Store	https://www.aliexpress.com/store/1102208643
9	Shop1103525157 Store	https://www.aliexpress.com/store/1103538026
10	Shop1103771128 Store	https://www.aliexpress.com/store/1103771128
11	Shop1103839437 Store	https://www.aliexpress.com/store/1103842466
12	Shop1104048046 Store	https://www.aliexpress.com/store/1104046039
13	Shop1104166335 Store	https://www.aliexpress.com/store/1104152387
14	Shop1104205742 Store	https://www.aliexpress.com/store/1104214690
15	Shop1104207043 Store	https://www.aliexpress.com/store/1104211042
16	Shop1104212590 Store	https://www.aliexpress.com/store/1104213608
17	Shop1104215657 Store	https://www.aliexpress.com/store/1104217320
18	Shop1104217629 Store	https://www.aliexpress.com/store/1104229009
19	Shop1104262217 Store	https://www.aliexpress.com/store/1104262218
20	Shop1104271858 Store	https://www.aliexpress.com/store/1104277869
21	Shop911227083 Store	https://www.aliexpress.com/store/1101589191
24	XiaoYan Liang	https://www.amazon.com/sp?seller=A19LIAN6TB UJ47
25	ZhaoYUMENG	https://www.amazon.com/sp?seller=AKWD7WKN DPMER
26	a674	https://www.dhgate.com/store/about-us/21819289.html
27	abfl	https://www.dhgate.com/store/about-us/21748718.html
28	aiyueele10	https://www.dhgate.com/store/about-us/21750230.html
29	cpqp	https://www.dhgate.com/store/about-us/21818709.html
30	d1fs	https://www.dhgate.com/store/about-us/21819758.html
31	dold	https://www.dhgate.com/store/about-us/21818386.html
32	dpfa	https://www.dhgate.com/store/about-us/21819362.html
33	e80c	https://www.dhgate.com/store/about-us/21818141.html
34	eerj	https://www.dhgate.com/store/about-us/21819081.html
35	fzcte4	https://www.dhgate.com/store/about-us/21751131.html
36	hjek	https://www.dhgate.com/store/about-us/21819752.html

DOE	Defendant Seller Name	Defendant Marketplace
37	kttv	https://www.dhgate.com/store/about-us/21818478.html
38	nanna11	https://www.dhgate.com/store/about-us/21815071.html
39	spenceri	https://www.dhgate.com/store/about-us/21750880.html
40	tlpn	https://www.dhgate.com/store/about-us/21818375.html
41	ujch	https://www.dhgate.com/store/about-us/21819311.html
42	wedswty998	https://www.dhgate.com/store/about-us/21815240.html
43	xklv	https://www.dhgate.com/store/about-us/21819091.html
44	yani3	https://www.dhgate.com/store/about-us/21814887.html
45	Alon Stikalro	https://www.ebay.com/usr/alonstikalro
46	craziest deals24	https://www.ebay.com/usr/craziest_deals24
47	ezbuydeals_1	https://www.ebay.com/usr/ezbuydeals_1
48	kaishengchen-1	https://www.ebay.com/usr/kaishengchen-1
49	kome0-16	https://www.ebay.com/usr/kome016
52	olgaaka	https://www.ebay.com/usr/olgaaka
53	panda_sh0p	https://www.ebay.com/usr/panda_sh0p/
54	rotgo_56	https://www.ebay.com/usr/rotgo_56
55	shi_3446	https://www.ebay.com/usr/shi_3446
56	FreddieArtGallery	https://www.etsy.com/in-en/shop/FreddieArtGallery
57	MagicMixMarket	https://www.etsy.com/in-en/shop/MagicMixMarket
58	TheRackeet	https://www.etsy.com/in-en/shop/TheRackeet
61	FSTNICETED	https://us.shein.com/store/home?store_code=4968772678
63	YEDSWWQAS	https://us.shein.com/store/home?store_code=6763100391
64	yongyouwopinshishangmtian	https://us.shein.com/store/home?store_code=1760681732
65	HHMG	https://www.temu.com/hhmg-m-634418216810540.html
66	HHMG ONeshop	https://www.temu.com/hhmg--m-634418217152683.html
67	Realsin	https://www.temu.com/realsin-m-634418215357650.html
68	Red Mansion Shop	https://www.temu.com/red-mansion-shop-m-634418216356404.html
71	TJ surpassing	https://www.temu.com/tj--m-634418213450826.html
72	ushophoues	https://www.temu.com/ushophoues-m-634418217731572.html
73	YueElite	https://www.temu.com/yueelite-m-634418216998461.html
74	Batte Forte	https://www.walmart.com/global/seller/102528709

DOE	Defendant Seller Name	Defendant Marketplace
76	chengyishangmao	https://www.walmart.com/reviews/seller/102521660
79	ERUWIQUEEQIOWRU	https://www.walmart.com/global/seller/101645284
81	Fire Boom	https://www.walmart.com/global/seller/102489569
82	foshanshijiahouyushangmao	https://www.walmart.com/reviews/seller/102486404
85	Hilehuti	https://www.walmart.com/global/seller/101570562
87	kangyixingdianzi	https://www.walmart.com/reviews/seller/101632086
88	KUASDU	https://www.walmart.com/global/seller/101651414
90	KUOZHUOW	https://www.walmart.com/reviews/seller/102513085
92	liupengmaoyi	https://www.walmart.com/global/seller/102496918
93	mailuoqiye	https://www.walmart.com/global/seller/102628997
94	Malibure	https://www.walmart.com/global/seller/101574073
99	shenzhen zhenfengshangmao you xian gong si	https://www.walmart.com/global/seller/101692559
102	Shuzhi Small Shop	https://www.walmart.com/global/seller/102514418
103	Springxwear	https://www.walmart.com/global/seller/102542629
107	XIANFENG GROUP	https://www.walmart.com/global/seller/101680904
108	XIYUNO	https://www.walmart.com/global/seller/102484224
109	Yijieelectronic	https://www.walmart.com/global/seller/101593777
110	Yzjmsha	https://www.walmart.com/reviews/seller/102584959
111	Zynic	https://www.walmart.com/global/seller/101567270